

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

IN RE: BLUE CROSS BLUE SHIELD ANTITRUST LITIGATION (MDL NO.: 2406)	} } } } } }	Master File No.: 2:13-CV-20000-RDP This order relates to the Subscriber Track
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**IN CAMERA ORDER GRANTING BCBSA’S IN CAMERA
APPLICATION FOR A LOCAL SERVICE AND SUPPORT FEE
PURSUANT TO THE APPROVED SUBSCRIBER SETTLEMENT**

This matter is before the court on BCBSA’s *In Camera* Application for a Local Service and Support Fee. BCBSA’s Application is supported by the declaration of Kari J. Hedges addressing the LSSF calculation for 2024.

On October 16, 2020, the parties to the Subscriber Track of the above-captioned MDL entered a Settlement Agreement. (Doc. # 2610-2). On August 9, 2022, the court issued a Final Order and Judgment Granting Approval of Subscriber Class Action Settlement and Appointing Settlement Administrator. (Doc. # 2931). Appendix D, Paragraph 10 of the Settlement Agreement establishes a Local Service and Support Fee (“LSSF”) that will support the Second Blue Bid injunctive relief term set forth in the Settlement Agreement. The LSSF is “[s]ubject to final approval” by this court and annual review and certification of the amount by the Monitoring Committee during the Monitoring Period.


The Blue Cross Blue Shield Association calculated the amount of the LSSF for 2024 in accordance with the terms of the Settlement Agreement and presented the calculation to the Monitoring Committee over the course of three special meetings and upon presentation and supporting materials from BCBSA to substantiate and verify the calculation. On September 24,

2024, the Monitoring Committee unanimously approved and certified the LSSF at \$22.70 per-contract-per-month commencing September 24, 2024. BCBSA's *In Camera* application, filed on behalf of all Settling Defendants, seeks final approval of the LSSF in the amount of \$22.70 per-contract per-month commencing September 24, 2024.

After careful review, the Application is **GRANTED**. It is **ORDERED** as follows:

1. The LSSF is hereby **APPROVED** at a rate of \$22.70 per-contract-per-month commencing September 24, 2024;
2. The Monitoring Committee **SHALL** review, certify, and/or approve the LSSF calculation and methodology on an annual basis consistent with Appendix D, Paragraph 10 of the Settlement Agreement ("LSSF Review Process"); and
3. Beginning in calendar year 2025, the materials to support the LSSF Review Process **SHALL** be submitted to the Monitoring Committee **no later than June 15** of the calendar year in which the LSSF is to be approved. The Monitoring Committee **SHALL** take action to set the LSSF in September, subject to approval by the Court.

DONE and **ORDERED** this September 25, 2024.


R. DAVID PROCTOR
CHIEF U.S. DISTRICT JUDGE